REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 6, 11, 25, 47 and 48 are amended. Claims 1-62 are pending.

Entry of Amendment under 37 C.F.R. § 1.116

The Applicant requests entry of this Rule 116 Response because: the amendments were not earlier presented because the Applicant believed in good faith that the cited references did not disclose the present invention as previously claimed; and the amendment does not significantly alter the scope of the claim and places the application at least into a better form for purposes of appeal.

The Manual of Patent Examining Procedures (M.P.E.P.) sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The M.P.E.P. further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

I. Rejection under 35 U.S.C. § 112

In the Office Action, at page 4, numbered paragraph 5, claims 1-10, 59 and 60 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1 and 6 are amended in light of the Examiner's comments, and accordingly, withdrawal of the § 112, first paragraph, rejection is respectfully requested.

II. Rejections under 35 U.S.C. § 103

In the Office Action, at page 5, numbered paragraph 8, claims 11, 12, 14-19, 24-30, 32, 33, 38-46, 49-54 and 56-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,276,436 to Shaw et al. in view of U.S. Patent No. 6,122,018 to Sugihara et al. This rejection is respectfully traversed because the combination of the teachings of Shaw and Sugihara does not suggest:

> a signal changing unit switching from the checked input signal to check a next input signal based on set data corresponding to the received input signal so that the signal checking unit checks whether the next input signal is abnormal, the set data representing how to check the identified input signal;

> wherein if the checked input signal is normal, the signal continues being displayed by the display device and if the checked input signal is abnormal, the signal stops being displayed by the display device,

as recited in independent claim 11.

The Examiner concedes that Shaw does not suggest a signal identifying unit that identifies a type of the input signal and a signal changing unit that switches from a checked input signal to a next input signal to be checked based on set data corresponding to the identified type of the input signal. The Examiner alleges that Sugihara makes up for the deficiencies in Shaw.

Neither Shaw nor Sugihara, alone or in combination discusses a signal changing unit that switches from the checked input signal to check a next input signal based on set data corresponding to the received input signal so that the signal checking unit checks whether the next input signal is abnormal, where the set data represents how to check the identified input signal. For example, the set data as cited in claim 4 is one of a number of times the identified input signal is checked, a time required to check the identified input signal and a position of the identified input signal to be checked within a sequence of identified input signals to be checked.

In Sugihara, the user decides whether to perform a setting to skip one of the external input terminals T2-T5. The user presses a cursor moving key to position the cursor so that it corresponds to an external input terminal T2-T5, and the user presses a return key. As a result, the external input terminal T1 is set to correspond with video 1, for example, and the external terminals T2-T5, which the user has set to be skipped, are skipped.

However, as the user has designated terminals T2-T5 **as terminals to be skipped**, the setting of these terminals to be skipped is not set data representing **how to *check* the identified input signal**. The user sets data on how the input signal is ***not*** to be checked. Therefore, the input signal is skipped based on the data that the user sets. The "set data" here does not represent how to check the input signal.

In contrast, a number of times the signal is to be checked, the time required to check the signal and a position of the input signal to be checked within a sequence of identified input signals to be checked is a type of set data that represents **how to check the input signal**.

Therefore, as the combination of the teachings of Shaw and Sugihara does not suggest "a signal changing unit switching from the checked input signal to check a next input signal based on set data corresponding to the received input signal so that the signal checking unit checks whether the next input signal is abnormal, the set data representing how to check the

identified input signal; wherein if the checked input signal is normal, the signal continues being displayed by the display device and if the checked input signal is abnormal, the signal stops being displayed by the display device," as recited in independent claim 11, claim 11 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

In addition, the combination of the teachings of Shaw and Sugihara does not suggest "switching from the checked input signal to a next received and identified input signal based on set data corresponding to the received input signal to check whether the next received and identified input signal is abnormal, the set data representing how to check the identified input signal; wherein if the checked input signal is normal, the signal continues being displayed by the display device and if the checked input signal is abnormal, the signal stops being displayed by the display device," as recited in amended independent claim 25. Therefore, claim 25 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Also, the combination of the teachings of Shaw and Sugihara does not suggest "an input port changing unit for switching from the checked input port to a next input port when the input port is not receiving a normal input signal, wherein at least one of the input ports has priority in an order of checking by the signal checking unit as compared to another input port," as recited in independent claim 40.

First, Sugihara particularly recites that the user designates which terminals are to be skipped, and therefore, **not checked**, when the user sets data as to whether the terminal is to be skipped or not. Thus, the user does not set for one of the input ports to have priority in an order **of checking** as compared to another input port because the user is setting which input port is to be skipped entirely and thus not checked. If the input port is not checked at all, one input port cannot be construed to have a priority **in checking** over another input port.

Further, combining the teachings of Shaw and Sugihara would render the invention of Shaw unsatisfactory for its intended purpose, which contradicts § 2143.01 of the M.P.E.P. In particular, Shaw requires that if there is no signal being received the program proceeds to instruction box 607 to cause the analog multiplex control signal MUX CONTROL to be switched allowing the HSYNC and VSYNC signal from another video signal source to be coupled to the microprocessor 36...to once again determine whether an HSYNC is being received from the next selected source. However, Sugihara particularly sets the input signals so that the signals are skipped, and if Sugihara were to be incorporated into the apparatus of Shaw, Shaw would be

rendered unsatisfactory for its intended purpose, which is to check whether the microprocessor is receiving an HSYNC signal and then checking whether the microprocessor is receiving an HSYNC signal from another source. If the other sources were merely to be skipped, as in Sugihara, then Shaw would not be able to function in the manner of its intended purpose.

Therefore, as the combination of the teachings of Shaw and Sugihara does not suggest all the features of independent claim 40, claim 40 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Also, the combination of the teachings of Shaw and Sugihara does not suggest "switching from the checked input port to a next input port to be checked when a normal input signal is not being received from the selected input port, wherein at least one of the input ports has priority in an order of checking by the signal checking unit as compared to another input port," as recited in independent claim 49. Therefore, claim 49 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claims 12, 14-19, 24, 26-30, 32, 33, 38, 39, 41-46, 50-54 and 56-58 depend either directly or indirectly from independent claims 11, 25, 40 and 49 and include all the features of their respective independent claims, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 14 recites that "the signal identifying unit identifies whether the received input signal is a D-sub analog signal." Therefore, claims 12, 14-19, 24, 26-30, 32, 33, 38, 39, 41-46, 50-54 and 56-58 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

In the Office Action, at page 15, numbered paragraph 9, claims 13, 20-23, 31, 34-37 and 55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaw in view of Sugihara, and further in view of U.S. Patent No. 5,808,693 to Yamashita et al. This rejection is respectfully traversed.

As discussed above, the combination of the teachings of Shaw and Sugihara does not suggest all the features of independent claims 11, 25 and 49. Yamashita fails to make up for the deficiencies in Shaw and Sugihara. Therefore, claims 11, 25 and 49 patentably distinguishes over the references relied upon. Claims 13, 20-23, 31, 34-37 and 55 depend either directly or indirectly from independent claims 11, 25 and 49 and include all the features of their respective independent claims, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 20 recites "a data setting unit that sets the number

of times the identified input signal is checked, wherein if the signal checking unit has not checked the number of set times, the signal checking unit continues the checking." Therefore, claims 13, 20-23, 31, 34-37 and 55 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

In the Office Action, at page 19, numbered paragraph 10, claims 47, 48, 61 and 62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamashita in view of U.S. Patent Pub. No. 2003/0179822 to Takano et al. This rejection is respectfully traversed because the combination of the teachings of Yamashita and Takano does not suggest:

> an input port changing unit for switching from the analog input port to the digital input port to check whether the digital signal is normal when the displaying device determines that the analog input port is not receiving a normal analog input signal, the switching from the analog input port to the digital input port being based on set data corresponding to the analog signal, the set data representing how to check the analog signal,

as recited in amended independent claim 47.

Further, the combination of the teachings of Yamashita and Takano does not suggest:

> an input port changing unit for switching from the digital input port to the analog input port to check whether the analog signal is normal when the displaying device determines that the digital input port is not receiving a normal digital input signal, the switching from the digital input port to the analog input port being based on set data corresponding to the digital signal, the set data representing how to check the digital signal,

as recited in amended independent claim 48.

Yamashita and Takano, alone or in combination, do not suggest switching from an analog or digital input port to a digital or analog input port to check whether the analog/digital signal is normal when the displaying device determines that the input port is not receiving a normal input signal, where the switching from the first input port to the second input port is based on set data corresponding to the input signal, and the set data represents how to check the next signal to be checked.

Further, the cited motivation of "in order to achieve the predictable result of receiving input signals" does not clarify as to how or why one of ordinary skill in the art would particularly distinguish between analog and digital input ports, including switching between the ports. Yamashita is directed only to a device that switches between a first and a second input port. While Takano does discuss receiving analog or digital signals, the cited motivation does not

particularly suggest why the input ports of Yamashita would be altered into analog and digital input ports, respectively. "In order to achieve the predictable result of receiving input signals" only clarifies why one would utilize Yamashita itself, but does not suggest how one of ordinary skill in the art would have been led to modify the input terminals 1 and 2 of Yamashita such that one input terminal is an analog input port, one input terminal is a digital input port, and switching is done between the analog input port and the digital input port.

Therefore, as the combination of the teachings of Yamashita and Takano does not suggest all the features of amended independent claims 47 and 48, claims 47 and 48 patentably distinguish over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claims 61 and 62 depend either directly or indirectly from independent claims 47 and 48 and include all the features of their respective independent claims, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 14 recites that "whether the analog input port receives the normal analog input signal is determined by sensing whether a cable via which each signal is input is connected." Therefore, claims 61 and 62 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Conclusion

In accordance with the foregoing, claims 1, 6, 11, 25, 47 and 48 have been amended. Claims 1-62 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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